

# DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## POLICY GUIDE 2015.06

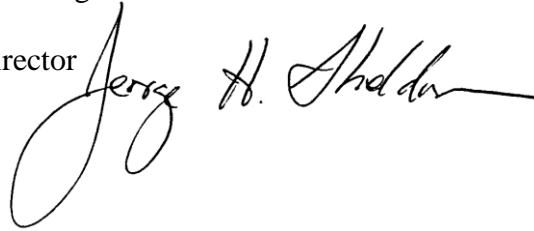
### REQUESTS FOR WAIVERS OF PRESUMPTION OF UNSUITABILITY

**DATE:** March 19, 2015

**TO:** DCFS and Private Agency Licensing Staff

**FROM:** George H. Sheldon, Acting Director

**EFFECTIVE:** Immediately



#### I. PURPOSE

The purpose of this Policy Guide is to inform Department and Purchase of Services (POS) licensing staff of a new requirement to review and assess child protection reports before requesting a waiver of presumption of unsuitability, which is consistent with a recent recommendation of the Office of Inspector General.

#### II. PRIMARY USERS

The primary users of this policy guide are Department and POS licensing staff.

#### III. BACKGROUND

As explained in Rule 385, subsection 385.50(b), when an individual has been the indicated perpetrator of certain types and/or number of abuse or neglect allegations listed in subsection 385.50(a), the Department presumes the individual is not suitable to operate a licensed child care facility, reside in a licensed foster family home, or hold a position in a licensed facility that allows access to children. If the licensing entity believes the individual is suitable, despite the indicated abuse or neglect allegation, they may request a review and waiver of the presumption of unsuitability.

In a recent report, the Department's Office of Inspector General advised that before recommending a waiver of the presumption of unsuitability, staff should review and assess relevant child protection reports.

This Policy Guide summarizes the Department's guidelines for implementing this new standard.



#### **IV. SUMMARY**

Before licensing staff may request a waiver of presumption of unsuitability, the person for whom a waiver is being requested must sign a consent to allow licensing staff to review and assess all child protection reports in which they were identified as an indicated perpetrator. Licensing staff shall conduct a thorough review of all child protection reports in which the individual was identified as an indicated perpetrator. After this review, the licensing worker, in consultation with his/her supervisor, shall make a determination whether to request a waiver regarding unsuitability.

The Department will propose amendments to Rule 385 to comport with this Policy Guide. Licensing staff shall immediately implement the new standards.

#### **V. QUESTIONS**

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to [cfpolicy@idcfs.state.il.us](mailto:cfpolicy@idcfs.state.il.us).

#### **VI. FILING INSTRUCTIONS**

File this Policy Guide immediately following Rules 385, Background Checks.